

REMARKS

Claims 1-150 are now pending in the application. Claims 136 and 147 are herein cancelled. Claims 47, 79, 106 and 148 are herein amended. While Applicant disagrees with the current rejections, Applicant has amended the claims to expedite prosecution. Applicant reserves the right to pursue the claims as originally filed in one or more continuing applications.

Minor amendments have been made to the claims to simply overcome the rejections of the claims under 35 U.S.C. § 112 and to place the claims in a condition for allowance. The claims are amended to include subject matter that the Examiner acknowledged as allowable, as discussed in further detail below. Support for the amendments can be found throughout the drawings, the specification and the previously presented claims. As such, no new matter is added. The amendments to the claims do not raise new issues. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

Applicant would like to thank the Examiner for courtesy extended during the interview on October 9, 2008.

REJECTION UNDER 35 U.S.C. § 112

Claims 147 and 150 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner alleges that Claims 147 and 150 are lacking a necessary connection to the input of the reconstruction filter claimed. This rejection is respectfully traversed.

Claim 147 is herein cancelled.

Claim 150 is amended to replace "a reconstruction filter" with "said reconstruction filter". Note that Claim 137, from which Claim 150 depends, recites that the reconstruction filter is connected between a first filter and a first error generator. Also, Claim 150 recites that the tap weight coefficients of the first filter are generated based on the output of the reconstruction filter. Claim 137 also recites that the first error generator is responsive to the output of the reconstruction filter. Thus, the structural and signal relationships between the reconstruction filter, the first filter and the first error generator are clear from the limitations recited in Claims 137 and 150.

Reconsideration and withdrawal of this rejection are respectfully requested.

Applicant notes that the limitations of previously presented Claim 147 are incorporated into Claim 47. Claim 47 recites: a reconstruction filter that is responsive to an output of a first filter; at least one of a gain controller and a timing phase controller that is responsive to the output of the reconstruction filter; and an error generator that signals at least one of the gain controller and the timing phase controller based on the

output of the reconstruction filter. Thus, Claim 47 recites the relationships between the reconstruction filter, the first filter, the gain controller, the timing phase controller, and the error generator.

Thus, Claim 47 is allowable for at least the above reasons.

REJECTION UNDER 35 U.S.C. § 102

Claims 47-48, 75-76, 79-80, 106-107, 132-133, and 140-141 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Behrens et al. (U.S. Pat. No. 6,819,514). This rejection is respectfully traversed.

Claim 47 is amended to include the limitations of Claim 147, which the Examiner admits is allowable.

Therefore, Claim 47 is allowable for at least the above reasons. Claims 79 and 106 are allowable for at least similar reasons as Claim 47. Claims 48-49, 52-78, 80-81, 84-105, 107-135, 141-146 and 148 ultimately depend from Claims 47, 79 and 106 and are allowable for at least similar reasons.

REJECTION UNDER 35 U.S.C. § 103

Claims 136, 138, and 144-146 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Behrens in view of Jayaraman et al. (U.S. Pub. No. 2004/0013190). This rejection is respectfully traversed.

Claim 136 is herein cancelled.

ALLOWABLE SUBJECT MATTER

The Examiner states that claims 1-46, 50-51, 137, and 139 are allowed. The Examiner states that claims 57-74, 82-83, 86-103, 109-110, 113-131, and 149-149 would be allowable if rewritten in independent form. The Examiner states that claims 147 and 150 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112. Accordingly, in the interest of expediting prosecution of the present application and without conceding the issue of patentability, Applicant has cancelled Claim 147 and has amended Claims 47, 79, and 106 to include the limitations of Claim 147. Therefore, Claims 47, 79, and 106 should now be in condition for allowance. Claims 48-49, 52-78, 80-81, 84-105, 107-135, 141-146 and 148 ultimately depend from Claims 47, 79 and 106 and should be in a condition for allowance for at least similar reasons.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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